

August 17, 2020

**MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR WILLIE STEELE.
COUNCIL MEMBERS HOLLAND, HOWETH, MELTON,
STEVENSON, TEAMANN.**

CALL TO ORDER

CALL TO ORDER

The Council reviewed the Minutes of the Called City Council Meeting (Budget Workshop) of June 25, 2020, and the Regular City Council Meeting of August 3, 2020. Council Member Melton moved to approve the Minutes, as presented; Second by Council Member Holland; All present voted AYE. MOTION CARRIED.

APPROVE MINUTES

There were no citizen's comments.

CITIZEN'S COMMENTS

2020 IMPACT FEE LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENT PROGRAM

Mayor Plyler introduced a public hearing on the 2020 Impact Fee Land Use Assumptions and Capital Improvement Program.

IMPACT FEES

Rob Rae, Director of Development Services, updated the Council on the Impact Fee Land Use Assumptions and the Capital Improvement Program. There will be two items on this agenda about the proposed Impact Fees.

The first item is to review the Capital Improvement Plan and the Land Use Assumptions. Later in the meeting the actual recommendations for the amount of the Impact Fee will also be presented. The Capital Improvements Advisory Committee will meet tomorrow to hear the same presentation.

Council Members will hear comments on the Draft Study and will review a Draft Ordinance at the September 8, 2020 Council Meeting. An Ordinance for adoption of the Impact Fee Study will be presented for Council consideration at the September 21, 2020 Council Meeting.

Jeff Whitacre, Vice President, Kimley-Horn, presented the Land Use Assumption and CIP. He explained that Impact Fees

are one-time fees assessed to recover infrastructure costs required to serve new development and growth. They generate revenue for the City that can be used to grow the infrastructure that their development is causing. It uses “growth” to pay for “growth.”

There are five major components to an Impact Fee and the public hearing tonight covers three, Service Areas, Land Use Assumptions, and the Capital Improvement Plan. The maximum fee and the results will be presented at a future Council Meeting.

In designating service areas for Impact Fees, funds collected within a service area must be spent on projects within the same service area within 10 years. For water and wastewater, the service area is citywide. For roadways, the service area is considered a “six mile trip length limit.” Sherman is divided into four service areas for roadways.

In dividing roadways into service areas, Mr. Whitacre said they typically use major highway boundaries. For Sherman they used US Highway 75, US Highway 82, and West Travis Street.

The land use master plan is a 20-year projection, but land use fees are based on a 10-year projection. Growth really determines the need of the infrastructure. Therefore, it's critical to get the land use assumptions correct.

Mr. Whitacre said they looked at where Sherman is growing, but they also looked at planned developments, which are mostly in the south part of the City. They don't want to be too aggressive with the land use assumptions, but want to be sure they plan for the growth.

The City has a Five-Year CIP, but the Impact Fee CIP is a 10-year plan. This plan is used for the sole purpose of calculating Impact Fees. It includes “underway” projects and future projects. It does not include “maintenance” projects. It only includes new construction, widening of existing roadways, or expansion of existing waterlines.

He displayed a map with locations of various projects that would qualify for Impact Fees. Staff time cannot be included for payment with these fees. Projects included on the maps were existing projects today, as well as future projects.

There were no changes from the Budget Workshop, on projects for the water and wastewater systems. There were changes on the roadway projects from the Budget Workshop. Projects added include the US Hwy 75 Project to Service Area 4, the City's portion of the US Hwy 82 Frontage Roads, and the Plainview Road improvements and overpass.

Mr. Whitacre said today's actions include a public hearing on the Service Areas, Land Use (Growth), and Capital Improvement Plan.

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No citizens appeared before the City Council to discuss the 2020 Impact Fee Land Use Assumptions and Capital Improvement Plan.

CAPITAL IMPROVEMENT PROGRAM 2020-2025

Mayor Plyler introduced a public hearing on the Capital Improvement Program 2020-2025.

**CAPITAL
IMPROVEMENT
PROGRAM
2020-2025**

Mary Lawrence, Director of Finance, said the City Charter requires the staff to prepare a Five-Year Capital Improvement Program each year. The first year of projects are included in the FY 2021 Budget.

The other four years are informational, but give the Council a look at what the City staff thinks might be coming up. The CIP is not an authorization to spend money or award a contract, and each contract will come to the Council for approval.

Ms. Lawrence said this version is different from the previous version on the last agenda. Projects amounting to about \$12 million for the Wastewater Treatment Plant were added in years two through five. This brought the five year total from \$66 million to \$78 million.

No citizens appeared before the City Council to discuss the Capital Improvement Program 2020-2025.

**FINAL STATEMENT/ACTION PLAN FOR PROGRAM YEAR
2020 COMMUNITY DEVELOPMENT BLOCK GRANT**

Mayor Plyler introduced a public hearing on the Final Statement/Action Plan for Program Year 2020 Community Development Block Grant.

**CDBG FINAL
STATEMENT &
ACTION PLAN
2020**

Ms. Lawrence said each year the City receives an entitlement grant, the Community Development Block Grant, from the Department of Housing and Urban Development. In past years, the funding has been used in Cherry Street Park, Martin Luther King Park, and to add a handicap accessible ramp for the Kidd-Key Auditorium.

This year, a large portion of the funds will be allocated for street improvements in the target area. Some of the funding will also be allocated to the various agencies in the community.

This year the grant is \$367,000, whereas last year it was about \$358,000.

No citizens appeared before the City Council to discuss the Final Statement/Action Plan for Program Year 2020 Community Development Block Grant.

Mayor Plyler introduced Ordinance No. 6309 and called for a public hearing:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS, PROVIDING FOR THE APPROPRIATION**

**ORD 6309
ANNUAL BUDGET**

OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR A REPEALER.

Mayor Plyler said “this budget will raise more total property taxes than last year’s budget by \$1,785,000 and 11% and, of that amount, \$775,000 is revenue to be raised from new property to be added to the roll this year.”

Ms. Lawrence said the proposed budget is about \$97 million, which is about \$2.2 million more than the FY 2020 Budget. The increase is due to additional equipment, fleet purchases, and personnel costs.

The General, Utility, and Solid Waste Funds are all within their target range for days of fund balance, from 60 to 90 days. The Solid Waste Fund and the General Fund are both dependent on the distributions from the Texoma Area Solid Waste Authority, that were previously discussed.

No increases in the tax rate, the utility rate, or the solid waste rate are proposed. Money from the Marilee Special Utility District will be used to help fund Utility Fund operations, with that project now being funded by debt

Ms. Lawrence said the sales tax was great for August, however because of timing, it is not reflected in the proposed budget. If it had been included, it would have increased reserves by about 1.5 days.

No citizens appeared before the City Council to discuss Ordinance No. 6309.

Mayor Plyler introduced Ordinance No. 6310 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE LEVY OF AD VALOREM TAXES FOR THE CITY OF SHERMAN, TEXAS, FOR THE TAX YEAR 2020; DISTRIBUTING THE SAME AMONG THE VARIOUS FUNDS; PROVIDING FOR A PENALTY AND INTEREST FOR FAILURE TO PAY THE TAXES LEVIED WITHIN THE TIME PROVIDED BY LAW; PROVIDING FOR A REPEALER.

ORD 6310
AD VALOREM
TAX LEVY

Ms. Lawrence said the tax rate is unchanged at \$0.489, and the rate is below the voter approval rate of \$0.51. It is also below the voter approval rate as recalculated at 3.5% instead of the 8% that Senate Bill 2 allows the City to do when there is a declared disaster.

No citizens appeared before the City Council to discuss Ordinance No. 6310.

Mayor Plyler introduced Ordinance No. 6311 and called for a public hearing:

ORD 6311
REGULAR ELECTION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 3RD DAY OF NOVEMBER, 2020, FOR THE PURPOSE OF ELECTING TWO (2) DISTRICT CITY COUNCIL MEMBERS FOR SAID CITY; PROVIDING THAT SAID ELECTION SHALL BE HELD JOINTLY WITH GRAYSON COUNTY, TEXAS; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING.

(NOVEMBER 3, 2020)

Brandon Shelby, City Attorney, said this is the annual ordinance calling an Election for the two District Council Members, on November 3, 2020. Today was the last day to “call” the Election.

No citizens appeared before the City Council to discuss Ordinance No. 6311.

Mayor Plyler introduced Ordinance No. 6312 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT AT 21180 WEST U.S. HIGHWAY 82, BEING 86.780 ACRES IN THE DANIEL BICKENBACK SURVEY, ABSTRACT NO. 128 AND THE J. McMULLEN AND MCGLOIN SURVEY, ABSTRACT NO. 762 (CHRISTOPHER REHMET AND CLAIRE TATE REHMET, OWNERS; CLAY BARNETT, P.E., REPRESENTATIVE; TCB ENGINEERING, LLC, CIVIL ENGINEER; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6312
ZONE CHANGE
(21180 W. HWY 82)

Mr. Rae said this is a zone change from R-A to R-1 for a single family development. This area was annexed in 2018.

Several citizens appeared at the Planning and Zoning Commission Meeting to express concern about the Site Plan and access through the existing neighborhood. However, this item was just for the zone change. The Planning and Zoning Commission recommended approval of the zone change, subject to the Staff Review Letter.

Laura Barnett, 3101 Redbud Trail

Ms. Barnett was representing Clay Barnett, TCB Engineering, who was unable to attend the meeting. She said they are requesting to rezone the property to C-1, for the portion adjacent to US Hwy 82, and to R-1 for the remainder of the property. They are not requesting site plan approval or preliminary plat approval at this time.

Ms. Barnett said they are requesting that the property be rezoned to be consistent with adjacent land uses. They also

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intend to comply with the Staff Review Letter, and are not seeking any variances or exceptions.

No other citizens appeared before the City Council to discuss Ordinance No. 6312.

Mayor Plyler introduced Ordinance No. 6313 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT AT 21180 WEST U.S. HIGHWAY 82, BEING 5.209 ACRES IN THE J. McMULLEN AND McGLOIN SURVEY, ABSTRACT NO. 762 (CHRISTOPHER REHMET AND CLAIRE TATE REHMET, OWNERS; CLAY BARNETT, P.E., REPRESENTATIVE; TCB ENGINEERING, LLC, CIVIL ENGINEER; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER.

**ORD 6313
ZONE CHANGE
(21180 W. HWY 82)**

Mr. Rae said this item is for a zone change from R-A to C-1, for commercial retail, fronting US Hwy 82. This item was combined with the previous request at the Planning and Zoning Commission Meeting.

The Commission recommended approval of the zone change, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6313.

Mayor Plyler introduced Ordinance No. 6314 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A COMMERCIAL AMUSEMENT CENTER (INDOOR GUN RANGE) IN A C-2 (GENERAL COMMERCIAL) DISTRICT/0-1.3 (F.M. HIGHWAY 691) OVERLAY DISTRICT AT 6400 TEXOMA PARKWAY, BEING 1.756 ACRES IN THE J.B. SHANNON SURVEY, ABSTRACT NO. 1085 (MONTGOMERY LIVING TRUST, OWNERS; CLIFF MONTGOMERY, REPRESENTATIVE; BEST PAWN, TENANT; F2M CONSTRUCTION, CONTRACTOR; AND FUSION TARGETS, SHOOTING RANGE DESIGNER/PROVIDER); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

**ORD 6314
SUP FOR COMMERCIAL
AMUSEMENT CENTER
(INDOOR GUN RANGE –
FM 691 & TEXOMA
PKWY)**

Mr. Rae said this item is for a Specific Use Permit to allow a commercial amusement center, an indoor gun range, in a C-2 District.

The Planning and Zoning Commission recommend approval of the Specific Use Permit, subject to the Staff Review Letter.

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Cliff Montgomery, Representative, appeared to answer any questions the Council might have. Council Members did not have any questions.

No other citizens appeared before the City Council to discuss Ordinance No. 6314.

Mayor Plyler introduced Ordinance No. 6315 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-2 (GENERAL COMMERCIAL) DISTRICT AND SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280 SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AN OFFICE/WAREHOUSE FACILITY IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 2450 NORTH FRISCO ROAD, BEING 2.814 ACRES IN THE G.W. MCGLOTHLIN SURVEY, ABSTRACT NO. 827 AND THE S. MCGLOTHLIN SURVEY, ABSTRACT NO. 808 (SHADOW TREE LANE, LLC, OWNERS; KENT HUGHLETT, ARCHITECT; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6315
ZONE CHANGE
(2450 N. FRISCO RD)

Mr. Rae said this item is for a zone change and a Specific Use Permit. The zoning is currently R-1 and they are requesting a change to C-2, and a Specific Use Permit to allow for office and warehouse in a C-2 District.

The Planning and Zoning Commission recommended approval of the zone change and the Specific Use Permit, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6315.

The Public Hearing was closed.

OTHER BUSINESS

PROVIDING FOR THE RATIFICATION OF THE PROPERTY TAX INCREASE

PROPERTY TAX

Ms. Lawrence said, as part of the budget process, the Local Government Code requires a separate vote if the City adopts a budget that raises more property tax revenue than the prior year. The rate is unchanged from last year, but revenue increased due to the increase in property values and new property added to the tax rolls.

Robby Hefton, City Manager, explained that the Council needed to vote on the property tax rate, prior to considering the adoption of the budget.

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He said there was no increase in the property tax rate, but the Council should consider the ratification of the property tax increase prior to consideration of the proposed budget.

ACTION TAKEN.

Motion by Council Member Holland to ratify the property tax increase proposed in the budget in Ordinance 6309, as presented. Second by Deputy Mayor Steele.

Council Member Melton said she would like additional discussion and clarification, and would like the citizens to know whether or not the Council is raising property taxes.

Mr. Hefton said there is no increase in the property tax rate of \$0.489, which includes the maintenance and operations rate and the interest and sinking, or debt rate. That rate remains unchanged from the current year, based on the proposal.

The language included, is required because the property values have increased. The State requires that if a City gains any revenue from one year to the next, even \$1, you have to use this special clarification and motion to ratify a property tax increase. The State sees any increase in revenue as a property tax increase.

Mr. Hefton reiterated that there is no increase in the property tax rate, and the property tax rate is below the voter approval rate of 3.5% and 8%, both of which are allowed by law. It is not a property tax rate increase, it just ratifies that the City has more revenue, because property values have increased.

RESTATEMENT OF MOTION.

Motion by Council Member Holland to ratify the property tax increase proposed in the budget in Ordinance 6309, as presented. Second by Deputy Mayor Steele.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

ADOPTION OF ORDINANCES

Ordinance 6309

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE APPROPRIATION OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR A REPEALER.

**ORD 6309
ANNUAL BUDGET**

ACTION TAKEN.

Motion by Council Member Melton to adopt Ordinance No. 6309, as presented. Second by Council Member Howeth.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6310

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE LEVY OF AD VALOREM TAXES FOR THE CITY OF SHERMAN, TEXAS, FOR THE TAX YEAR 2020; DISTRIBUTING THE SAME AMONG THE VARIOUS FUNDS; PROVIDING FOR A PENALTY AND INTEREST FOR FAILURE TO PAY THE TAXES LEVIED WITHIN THE TIME PROVIDED BY LAW; PROVIDING FOR A REPEALER.

ORD 6310
AD VALOREM
TAX LEVY

ACTION TAKEN.

Motion by Council Member Howeth that the property tax rate be increased by the adoption of a tax rate of \$0.489000 per \$100 of valuation, which is effectively a 6% increase in the tax rate. Second by Council Member Melton.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Ordinance 6311

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 3RD DAY OF NOVEMBER, 2020, FOR THE PURPOSE OF ELECTING TWO (2) DISTRICT CITY COUNCIL MEMBERS FOR SAID CITY; PROVIDING THAT SAID ELECTION SHALL BE HELD JOINTLY WITH GRAYSON COUNTY, TEXAS; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; PROVIDING FOR EARLY VOTING.

ORD 6311
REGULAR ELECTION
(NOVEMBER 3, 2020)

Ordinance 6312

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT AT 21180 WEST U.S. HIGHWAY 82, BEING 86.780 ACRES IN THE DANIEL BICKENBACK SURVEY, ABSTRACT NO. 128 AND THE J. McMULLEN AND McGLOIN SURVEY, ABSTRACT NO. 762 (CHRISTOPHER REHMET AND CLAIRE TATE REHMET, OWNERS; CLAY BARNETT, P.E., REPRESENTATIVE; TCB ENGINEERING, LLC, CIVIL ENGINEER; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6312
ZONE CHANGE
(21180 W. HWY 82)

Council Member Howeth asked about water and sewer to this area and when it should be completed. Wayne Lee, Director of Engineering, said the City is still actively engaged in acquiring easements and have about 80% of them. A critical one was acquired last week for the lift station. He said the entire project is an 18 month to two year project.

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Council Member Howeth asked if the homeowners in that area were being kept informed as to the status. Mr. Lee said they call in with questions and are being updated. Mr. Hefton said the staff is also in contact with the Homeowners Association for the development.

Mr. Hefton addressed the sewer project that will be needed prior to any significant growth in the development. There is plenty of water for them to grow, and tonight a zone change was all that was approved.

At some point in the future, they will submit a request for a site plan, for hundreds of single family homes. There is enough water to serve this many additional homes, and there will be plenty of sewer capacity once this project is complete.

Council Member Teamann verified that the development wouldn't be possible for another 18 to 24 months, because there is not adequate sewer. He said the homeowners that live in Preston Club say the HOA actually owns the road. The drawings show this new development using their roads.

Mr. Hefton said all the roads were constructed by the developer and are owned by the HOA. They are not City roads, nor are they City-maintained roads. He said presumably the other streets that will be constructed will be City streets. But that will be worked out through a Developer's Agreement, at a later date.

He said whether or not this new developer can use Preston Club's private road, is an issue between the HOA and the new developer, not the City.

Council Member Melton asked about the safety turning into Preston Club from US Hwy 82. Mr. Lee said when the developer presents their plans, they will be required to provide a traffic impact analysis and there will be communication with the Texas Department of Transportation concerning connections to Hwy 82 and the commercial property, as well as the residential property.

Council Member Melton asked why the developer wouldn't wait on the zone change until things are in place, such as the sewer. Council Member Stevenson said if a developer wants to put a project together, and borrow money to construct houses, the first step would be to assure that the zoning is correct for the project.

Council Member Teamann asked if they get residential zoning and then bring back a plat with standard residential lot sizes, can the Council deny it? Clint Philpott, Assistant City Manager, said that is true, without the exception of the sewer. Because there is no sewer capacity there, they would have to put in their own sewer system, approved by the City. Mr. Philpott said the City is currently not approving residential building permits in Preston Club.

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Mr. Hefton added that the City is assessing the current residents and any future residents in Preston Club for the water and sewer infrastructure. All of the new home that this developer builds will also be subject to the assessment and will help pay for the infrastructure.

Ordinance 6313

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT AT 21180 WEST U.S. HIGHWAY 82, BEING 5.209 ACRES IN THE J. McMULLEN AND McGLOIN SURVEY, ABSTRACT NO. 762 (CHRISTOPHER REHMET AND CLAIRE TATE REHMET, OWNERS; CLAY BARNETT, P.E., REPRESENTATIVE; TCB ENGINEERING, LLC, CIVIL ENGINEER; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER.

ORD 6313
ZONE CHANGE
(21180 W. HWY 82)

Ordinance 6314

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A COMMERCIAL AMUSEMENT CENTER (INDOOR GUN RANGE) IN A C-2 (GENERAL COMMERCIAL) DISTRICT/0-1.3 (F.M. HIGHWAY 691) OVERLAY DISTRICT AT 6400 TEXOMA PARKWAY, BEING 1.756 ACRES IN THE J.B. SHANNON SURVEY, ABSTRACT NO. 1085 (MONTGOMERY LIVING TRUST, OWNERS; CLIFF MONTGOMERY, REPRESENTATIVE; BEST PAWN, TENANT; F2M CONSTRUCTION, CONTRACTOR; AND FUSION TARGETS, SHOOTING RANGE DESIGNER/PROVIDER); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 6314
SUP FOR COMMERCIAL
AMUSEMENT CENTER
(INDOOR GUN RANGE –
FM 691 & TEXOMA
PKWY)

Council Member Howeth said she didn't have any questions regarding the commercial amusement center, but was concerned with the look of the metal building.

Mr. Montgomery said the building will be demolished and the new building will match the current structure.

Council Member Stevenson asked about the timeline for the project. Mr. Montgomery said he was hoping to start construction in October 2020.

Ordinance 6315

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-2 (GENERAL COMMERCIAL) DISTRICT AND SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280 SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AN OFFICE/ WAREHOUSE FACILITY IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 2450 NORTH FRISCO ROAD, BEING 2.814

ORD 6315
ZONE CHANGE
(2450 N. FRISCO RD)

ACRES IN THE G.W. MCGLOTHLIN SURVEY, ABSTRACT NO. 827 AND THE S. MCGLOTHLIN SURVEY, ABSTRACT NO. 808 (SHADOW TREE LANE, LLC, OWNERS; KENT HUGHLETT, ARCHITECT; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance Nos. 6311, 6312, 6313, 6314, and 6315, as presented.

Second by Council Member Howeth.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Council Member Melton moved to approve the Consent Agenda, as presented. Second by Council Member Teamann. All present voted AYE.

CONSENT AGENDA

RESOLUTION NO. 6636 – ADOPTING THE TEXAS COALITION FOR AFFORDABLE POWER, INC.'S PROFESSIONAL SERVICES AGREEMENT AND GEXA ENERGY'S COMMERCIAL ELECTRICITY SERVICE AGREEMENT FOR POWER TO BE PROVIDED ON AND AFTER JANUARY 1, 2023
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ADOPTING THE TEXAS COALITION FOR AFFORDABLE POWER, INC.'S PROFESSIONAL SERVICES AGREEMENT AND GEXA ENERGY'S COMMERCIAL ELECTRICITY SERVICE AGREEMENT FOR POWER TO BE PROVIDED ON AND AFTER JANUARY 1, 2023.

**RES 6636
ELECTRICITY
SERVICE
AGREEMENT**

Mr. Shelby said the Texas Coalition for Affordable Power is an organization of member cities that work together to assure favorable rates for electrical power. They are adopting a new program, Strategic Hedging Program, which will allow the City to purchase an annual supply each month, two years forward, year-to-year.

That means, next year, the City will start buying a monthly energy supply, for the City to use in 2023, on a month-by-month basis. This agreement allows TCAP to get the City the best possible energy rates, starting in 2023.

The contract also has an “out clause” that twice a year allows the City to return to the original fixed rate if the new rate is not working for them.

Council Member Howeth said some of the western states are experiencing “rolling blackouts” due to the heat. She asked if this contract would allow the City to have affordable energy and not have the blackouts.

Mr. Shelby said that issue is a “delivery of energy” issue and is an Oncor problem. It does not have anything to do with TCAP or the City’s rate for energy. He said Texas has a large energy grid system.

He said one reason TCAP is endorsing the Strategic Hedging Program is that they foresee the price of energy stabilizing and not fluctuating as much.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6636, as presented. Second by Council Member Teamann.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6637 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH BRAD DRAKE CONSTRUCTION, LLC BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF THE EAST PARK AVENUE ROADWAY EXTENSION

**RES 6637
EAST PARK AVE
ROADWAY EXTENSION**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH BRAD DRAKE CONSTRUCTION, LLC BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF THE EAST PARK AVENUE ROADWAY EXTENSION.

Mr. Lee said in 2015, extreme weather caused the saturation and collapse of a portion of East Lake Avenue. The 2009 Comprehensive Master Plan calls for extending East Park to tie into East Lake Avenue, at a point east of the collapsed portion. Completing this connection would allow the failed portion of Lake Avenue to be abandoned in place.

This project will help establish that east – west connection. The new road would be a two-lane, concrete road.

There were six bidders, and the lowest responsive bidder was Brad Drake Construction, at \$1.72 million. The next two bidders were at \$1.78 million, so staff felt that it was a legitimate bid.

The bid was \$600,000 over the engineer’s estimate. It was determined that the engineer underestimated four box culverts and the cost of the fill dirt needed. The contractor is new to Sherman, and has been fully vetted.

ACTION TAKEN.

Motion by Council Member Howeth to adopt Resolution No. 6637, as presented. Second by Deputy Mayor Steele.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6638 – APPROVING AND ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF SHERMAN, TEXAS

**RES 6638
FIVE-YEAR CIP**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING AND ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF SHERMAN, TEXAS.

Ms. Lawrence said this is the actual vote on the Five-Year CIP, that was discussed earlier, and is required by the City Charter.

Council Member Teamann said he generally opposes the way the Five-Year CIP is set up, because he likes to have a strategy in place that is based on the tax rate increase. He said they have discussed some of the future projects, but not all of them, and he didn't like to approve a Five-Year strategy with no discussion on all the items.

He said each year they say they're going to do \$30 million to \$40 million worth of work, but they only complete \$10 million to \$15 million in projects. He said it was not really a good indication of the actual plan.

Ms. Lawrence said the Charter requires that the City complete a CIP. The first year is included in the budget, but the other four years are projects that the staff feels are needed. These projects are then reviewed with the budget each year. The plan is for one year at a time, so the City doesn't end up doing all the projects in the later years.

Mr. Hefton added that a Five-Year CIP is required by the Charter, so there is no option not to do it. However, it can be done differently. The Charter can be changed to not require a CIP, but that would have to be done by a vote of the citizens.

Or the City could have a separate work session, maybe half a day, to focus strictly on the CIP projects in years two through five, and to provide more detail. To do this at a budget work shop would expand the meeting to two days.

Council Member Teamann felt that the Council should look at realistic growth patterns and the percentage of increase in the tax base. Instead of "cherry picking" everything they want on the list, make sure the projects and the need are more realistic.

Mr. Hefton verified that Council Member Teamann would like to tie the projects to a financial impact in terms of a tax rate, just like is done with the first year of projects during the budget work shop. He doesn't want a "wish list" but a more realistic list of projects.

Mayor Plyler said the Council and staff do a good job every year of looking through and vetting the projects for that year. He did feel it was a good planning tool to know what is coming up three years from now too, especially concerning infrastructure. He said the Council must know what is coming up in future years in order to plan for the projects. He felt everything could be incorporated into one work session.

Council Member Teamann said he appreciated a plan, he just felt there should be a more realistic approach.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6638, as presented. Second by Council Member Howeth.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6639 – AUTHORIZING PUBLICATION OF THE PROPOSED FINAL STATEMENT/ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR PROGRAM YEAR 2020; AUTHORIZING SUBMISSION OF THE BLOCK GRANT APPLICATION; AUTHORIZING EXECUTION OF CERTIFICATIONS OF COMPLIANCE IN CONNECTION WITH THE ADMINISTRATION AND CONDUCT OF THE COMMUNITY DEVELOPMENT PROGRAM FOR PROGRAM YEAR 2020

**RES 6639
CDBG PROGRAM
YEAR**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING PUBLICATION OF THE PROPOSED FINAL STATEMENT/ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR PROGRAM YEAR 2020; AUTHORIZING SUBMISSION OF THE BLOCK GRANT APPLICATION; AUTHORIZING EXECUTION OF CERTIFICATIONS OF COMPLIANCE IN CONNECTION WITH THE ADMINISTRATION AND CONDUCT OF THE COMMUNITY DEVELOPMENT PROGRAM FOR PROGRAM YEAR 2020.

Ms. Lawrence said this is the Council's consideration of the Community Development Block Grant that was discussed earlier.

Council Member Howeth said a good portion of the money this year will be spent on streets in low income areas. She asked how many miles of streets will the City be able to improve.

Mr. Philpott said it is hard to estimate because the City could do a complete rebuild or just a resurface. The goal is to see out to make the \$160,000 most impactful for the area, but the actual plan has not been determined yet.

Council Member Holland asked if sidewalks will also be added. Ms. Lawrence said that hasn't been determined yet. Mr. Hefton said, from a cost standpoint, anything that's within the right-of-way is okay to spend Federal grant dollars on. It could be anything from the right-of-way on one side to the right-of-way

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on the other side, which could include water lines, sidewalks, the roadway itself, curb and gutter, or drainage systems.

Council Member Melton confirmed that this grant money could also be combined with the street sales tax money. Mr. Hefton added that both the grant money and street sales tax money will be used for improvements on existing roads, not constructing new roads.

ACTION TAKEN.

Motion by Council Member Melton to adopt Resolution No. 6639, as presented. Second by Council Member Teamann. VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6640 – AUTHORIZING EXECUTION OF A JOINT ELECTION AGREEMENT WITH GRAYSON COUNTY, TEXAS, TO HOLD A JOINT ELECTION ON NOVEMBER 3, 2020
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A JOINT ELECTION AGREEMENT WITH GRAYSON COUNTY, TEXAS, TO HOLD A JOINT ELECTION ON NOVEMBER 3, 2020.
CONSENT AGENDA.

RES 6640
JOINT ELECTION
AGREEMENT
(NOVEMBER 3, 2020)

RESOLUTION NO. 6641 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO LENNIE LUNDERVOLD FOR THE ENCROACHMENT OF A DETACHED SHED WITHIN THE PLATTED PUBLIC UTILITY EASEMENT RUNNING ALONG THE NORTH SIDE OF LOT 7, BLOCK C OF THE AMENDED PLAT OF MAGNOLIA VILLAGE, AS SHOWN IN INSTRUMENT NUMBER 2017-3272, PLAT RECORDS, GRAYSON COUNTY, TEXAS, LOCALLY KNOWN AS 413 CARNEROS DRIVE IN THE CITY OF SHERMAN, TEXAS
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO LENNIE LUNDERVOLD FOR THE ENCROACHMENT OF A DETACHED SHED WITHIN THE PLATTED PUBLIC UTILITY EASEMENT RUNNING ALONG THE NORTH SIDE OF LOT 7, BLOCK C OF THE AMENDED PLAT OF MAGNOLIA VILLAGE, AS SHOWN IN INSTRUMENT NUMBER 2017-3272, PLAT RECORDS, GRAYSON COUNTY, TEXAS, LOCALLY KNOWN AS 413 CARNEROS DRIVE IN THE CITY OF SHERMAN, TEXAS.
CONSENT AGENDA.

RES 6641
ENCROACHMENT
EASEMENT
(413 CARNEROS DR)

OTHER BUSINESS

SETTING A PUBLIC HEARING ON THE 2020 IMPACT FEE STUDY AND THE ADOPTION OF AN IMPACT FEE ORDINANCE FOR MONDAY, SEPTEMBER 21, 2020

Mr. Rae said this presentation will give the maximum rate recommended, based on the Land Use Assumptions and the Capital Improvements Plan. After the presentation, they will ask for a motion to approve the Land Use Assumptions and

IMPACT FEES

the Capital Improvement Plan and a motion to set the Public Hearing for September 21, 2020.

Mr. Whitacre said the maximum impact fee per service unit formula is determined by the recoverable cost of the CIP, divided by the new service units. For every existing project, there is an existing demand. The recoverable cost of the plan is the demand within the 10-year window. He said some of the projects have a 20-year lifecycle, but you can't charge beyond the 10-year window.

Mr. Whitacre divided the fee calculations into roadway, water, and wastewater. Roadway calculations were divided into the four service areas. The most money goes to Service Area 4, where the most growth is occurring.

State law requires you to cut that recoverable cost in half, to determine the percent that is recoverable by the fee. There is also a recoverable cost plus financing. That amount is divided by the service units to determine the maximum assessable impact fee per service unit per vehicle mile, then calculated to determine the maximum fee per single family. He outlined the calculated maximum fee for each service area.

The same principle applies to the water and wastewater service areas, except that Sherman is one service area for both of those designations. There are more water needs in the City than wastewater needs.

Mr. Whitacre said they calculated the maximum fees allowed and the actual fee assessed would be based on the ordinance that is passed by the City Council, but cannot exceed the maximum. The Council will set the rate and an effective date as to when the impact fees go into effect.

Mr. Whitacre outlined what the impact fees would be on five typical land uses, broken down by the type of fees, the number of units, and the service units, based on the maximum fee. He also showed the same calculations based on the staff recommended impact fees, which were less than the maximum allowed.

He also compared the maximum fee and the staff recommended fee, with Anna, Melissa, Princeton, Celina, McKinney, and Prosper. Sherman was on the low end of the comparisons. Mr. Rae added that Sherman's maximum rate was even lower than what many of the peer cities were charging. Mr. Whitacre clarified that the rates for the peer cities aren't the maximum rates, but are the rates they actually charge.

Deputy Mayor Steele asked, based on the rates, how much revenue should be generated. Mr. Rae said, they took the building permits from July 20, 2020 and then for the entire year of 2019, and based on the max rate of 2019, the City would have received \$3.5 million. Based on the staff

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recommendation, the City would have received \$2.1 million. Then on 2020, year-to-date, it would be \$1.5 million for the max, and \$870,000 for the staff recommended.

Deputy Mayor Steele asked if the rate is set now, how often can it be changed and what is the process to change it. Mr. Whitacre said it must be done every five years. As long as the maximum rate is not exceeded, it could be changed by an ordinance at any time.

Mr. Hefton confirmed that the study should be redone at least every five years, but it can be done more frequently. However, to change the rate between zero and the max, that can be done by ordinance, without the study. The rate can be changed, up to the max, as frequently as the Council would like.

Mr. Whitacre said redoing the study every five years would require a new public hearing, but it is a shorter process than the first time.

Deputy Mayor Steele asked how the staff determined their recommendation. Mr. Hefton said the staff wanted to be competitive with their rates and as it turns out, if they went with the \$6,941 maximum for a single-family residence, that would still be competitive. But they didn't want it to be an issue that stunted growth either. They just wanted to provide revenue for the infrastructure improvements. He explained how the staff calculations were determined.

He said the staff will present a draft ordinance, with a proposed fee structure, on September 8, 2020, for the Council's consideration. He asked for input from the City Council and said the CIAC will also make a recommendation at their August 18, 2020 meeting. Any changes the Council wants can be made before the final ordinance will be presented at the September 21, 2020 Council Meeting.

Mr. Whitacre presented revenue projections under different scenarios. The median home price is \$166,195 and the median listed price is \$223,520. Using the median listed price, \$2,000 per house is approximately 1%; \$4,000 per house is approximately 2%; and \$6,000 per house is approximately 3%.

Council Member Teamann verified that retail and industrial also has a cap. He suggested "not making it difficult" for a retail customer that would bring in a great value to the City through sales tax.

Council Member Stevenson asked about options for abatement to encourage retail development. Mr. Hefton said the fees would need to be applied equally and they can't be exempted from paying. However a business could be incentivized through a 380 Agreement, to rebate back an amount that would be equal to some of the Impact Fee.

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Council Member Howeth did not want to “cherry pick” who pays the fee. Council Member Teamann said some businesses bring the City a lot of money in sales tax.

As an example, Mr. Hefton said there are provisions and statutes that allow the City to exempt certain non-profits, such as schools, from the implementation of the storm water fee. Mr. Whitacre said schools and federally funded, affordable housing, are exempt from the Impact Fees. Mr. Whitacre said the water and wastewater fees are based on meter size.

Mr. Hefton asked for Council input on the rates to be included in the draft ordinance that will be brought back on September 8, 2020.

Council Member Stevenson suggested getting the maximum rate possible, that lets Sherman still be cheaper than the other comparison cities. He didn’t mean to go to the maximum, but just to go to the highest amount that still puts Sherman cheaper than the other cities. He said as long as Sherman was cheaper than the other cities, it would not run development out.

Council Member Howeth said that this was a starting point, and it can be changed with an ordinance. Maybe adopt this fee now and if it didn’t “run anyone off” it might be increased next year. Council Member Stevenson still recommended going with the higher amount, because it could still be reduced or increased as needed.

Mr. Hefton summed up the Council’s direction. As for single-family homes, the maximum cap is \$6,941. The \$3,600 maybe a little low. The Council doesn’t want to be the highest or the lowest, but somewhere in-between. He recommended increasing the fee on the water portion rather than the roadway portion, if the Council wanted to increase the fee.

Mr. Hefton said, for the September 8, 2020 Council Meeting, the staff will present two or three options for the Council to consider. The options will be higher than \$3,600 but lower than the cap. The options will also include the revenue that would have been generated for 2019 and for 2020 up to this time. He said the options will include the \$3,600, and three other options, that are not the maximum.

Mr. Whitacre said that when the City begins collecting that fee, they will be required to report back to the CIAC every six months, about the amount of revenue collected and how it is spent.

He presented a revenue projection chart to show projected revenue for a 10-year period. Anything that is already platted, at adoption time, has a one-year grace period.

ACTION TAKEN.

Motion by Deputy Mayor Steele to adopt the Land Use Assumptions and the Capital Improvements Plan, as presented. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

ACTION TAKEN.

Motion by Council Member Teamann to set a Public Hearing on the 2020 Impact Fee Study, at the City Council Meeting on September 21, 2020, at 5:00 p.m., as presented. Second by Council Member Holland.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

AUTHORIZING EMERGENCY REPAIR OF A 6" DRAIN LINE IN THE ANAEROBIC DIGESTER COMPLEX AT THE SHERMAN WASTEWATER TREATMENT PLANT

**WWTP DRAIN
LINE REPAIR**

Mr. Lee said this item is for the emergency repair of a 6" drain line in the Anaerobic Digester Complex and the Wastewater Treatment Plant. Crews have been cleaning it on a regular bases because it clogs up. When they were unable to clean it, a contractor was called in and found that the cast iron line had collapsed in multiple places.

An emergency repair was initiated at a cost of approximately \$72,000.

ACTION TAKEN.

Motion by Council Member Stevenson to authorize the emergency repair of a 6" drain line in the Anaerobic Digester Complex at the Wastewater Treatment Plant, at a cost of \$72,000, as presented. Second by Deputy Mayor Steele.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

CONSIDER REQUEST OF DOWNTOWN SHERMAN NOW TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE "STROLL ON THE SQUARE & TEXOMA'S BEST BITES" ON SATURDAY, OCTOBER 3, 2020

**CLOSE STREETS
FOR STROLL ON
THE SQUARE &
TEXOMA'S BEST
BITES
(OCTOBER 3, 2020)**

The City Council approved the request of Downtown Sherman NOW to temporarily close certain streets for the "Stroll on the Square & Texoma's Best Bites" on October 3, 2020. They requested to close the 100 block of South Travis and South Crockett Streets, and the 200 block of South Travis from 1:00 p.m. to 11:00 p.m. for the event.

Barricades, cones, and waste receptacles will be provided by the City. They will work with the Police Department to arrange

for security officers. Emergency vehicle accessibility will be maintained throughout the closed streets at all times.
CONSENT AGENDA.

FINAL PLAT APPROVAL OF SCHMITZ ADDITION, BEING 27.418 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765; JEREMY SCHMITZ, OWNER; UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (5311 FARMINGTON ROAD)

The City Council approved the Final Plat of Schmitz Addition, a 27.418 acre tract, located at 5311 Farmington Road, between South FM 1417 and Shepherd Drive, just south of the railroad tracks.

The owner would like to plat the property into three lots for residential development. The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.

CONSENT AGENDA.

APPROVE FINAL PLAT
SCHMITZ ADDITION
(5311 FARMINGTON
RD)

REPLAT APPROVAL OF JACKSON WALKER ADDITION, A REPLAT OF ALL OF LOT 7, BLOCK 1, GLECKLER PLAZA ADDITION AND ALL OF LOTS 5 AND 6, BLOCK 1 OF THE PARTIAL REPLAT OF GLECKLER PLAZA ADDITION, BEING 14.189 ACRES IN THE J.B. McANAI SURVEY, ABSTRACT NO. 763, ALSO BEING ALL OF LOT 7, BLOCK 1, GLECKLER PLAZA ADDITION AND ALL OF LOTS 5 AND 6, BLOCK 1 OF THE PARTIAL REPLAT OF GLECKLER PLAZA ADDITION; MPT OF SHERMAN ALECTO LLC, OWNERS; COVENANT DEVELOPMENT, LLC, DEVELOPER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (1111 GALLAGHER DRIVE)

The City Council approved the Replat of Jackson Walker Addition, a 14.189 acre tract, located at 1111 Gallagher Drive, at the northeast corner of Gallagher Drive and Calais Drive. The property was formerly Community Specialty Hospital. The property is zoned a C-1 (Retail Business) District. The owners would like to replat the property into two lots for commercial and residential development

The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA.

APPROVE REPLAT
JACKSON WALKER
ADDITION
(1111 GALLAGHER DR)

FINAL PLAT APPROVAL OF REYNOSO BETHANY ROAD ADDITION IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 11.978 ACRES IN THE AARON BURLESON SURVEY, ABSTRACT NO. 161; RODOLFO V. REYNOSO, OWNER; PRESTON TRAIL LAND SURVEYING, LLC, SURVEYOR (2420 BETHANY ROAD)

The City Council approved the Final Plat of Reynoso Bethany Road Addition, an 11.978 acre tract, located at 2420 Bethany Road, in the City's Extra Territorial Jurisdiction.

APPROVE FINAL PLAT
REYNOSO BETHANY
ROAD ADDITION
(2420 BETHANY RD)

The owner would like to plat the property into two lots. The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.
CONSENT AGENDA.

FINAL PLAT APPROVAL OF FROG KNOT POND ADDITION IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 2.297 ACRES IN THE J.W. BRADLEY SURVEY, ABSTRACT NO. 124; PHYLLIS A. BARROW LIVING TRUST, OWNER; PRESTON TRAIL LAND SURVEYING, LLC, SURVEYOR (100 AND 122 TRAILS END CIRCLE)

The City Council approved the Final Plat of Frog Knot Pond Addition, a 2.297 acre tract, located at 100 and 122 Trails End Circle, in the City's Extra Territorial Jurisdiction.

The owner would like to plat the property into two lots to sell the properties. The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.
CONSENT AGENDA.

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

RECENT MARCH HELD IN SHERMAN

Council Member Holland thanked Terrence Steele, Assistant City Manager, for attending a recent march in Sherman. He said everything went well for the march.

THANKS TO CITY STAFF FOR BUDGET PROCESS

Council Member Teamann thanked the staff for the budget process this year. He said Council Members had received the information several times and been able to give input.

SCHOOL STARTED TODAY

Council Member Melton said school started today for the Sherman Independent School District. She urged everyone to watch when they drove through school zones.

ANNOUNCEMENTS

Mayor Plyler announced the following:

- Sherman Arts Fest will be held September 19, 2020.
- Coffee With the Mayor will be September 4, 2020, in the Municipal Ballroom. Sarah McRae, Tourism/Main Street Manager, will preview upcoming events, including a drone race.
- The Sherman Chamber of Commerce's Annual Golf Tournament will be held September 4, 2020, and is a great way to support the local business community.

EXECUTIVE SESSION – IN ACCORDANCE WITH CHAPTER 551, GOVT. CODE, V.T.C.S., (OPEN MEETINGS LAW)

APPROVE FINAL PLAT
FROG POND
ADDITION
(122 TRAILS END CR)

MEDIA QUESTIONS

RECENT MARCH
HELD IN SHERMAN

THANKS TO
CITY STAFF

SCHOOL STARTED
TODAY

ANNOUNCEMENTS

EXECUTIVE SESSION

COUNCIL MINUTES – AUGUST 17, 2020

THE CITY COUNCIL WILL NOW HOLD AN EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW, CHAPTER 551, GOVERNMENT CODE, VERNONS TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

- SECTION 551.071 -- CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION
- SECTION 551.071 -- CONSULT WITH THE CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER
- SECTION 551.074 -- PERSONNEL MATTERS: DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE
- CONSIDER THE QUALIFICATIONS, APPOINTMENT AND REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS:
TEXOMA COMMUNITY CENTER (1)
- SECTION 551.087 -- DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS: DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT AND DELIBERATE ANY OFFERS OR INCENTIVES TO THE BUSINESS PROSPECT

The Executive Session was not needed.

CONSIDER THE QUALIFICATIONS, APPOINTMENT AND REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS: TEXOMA COMMUNITY CENTER (1)
ACTION TAKEN.

Motion by Council Member Teamann to reappoint Margie Morris to the Texoma Community Center, for a term from

TEXOMA COMMUNITY
CENTER

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August 31, 2020 to August 31, 2022. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:44 p.m.

ADJOURNMENT

MAYOR

CITY CLERK